

PHILLIP A. TALBERT  
United States Attorney  
JAMES R. CONOLLY  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
  
Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PATRICIA EKIZIAN,  
  
Defendant.

CASE NO. 2:21-CR-157-DJC

STIPULATION TO VACATE TRIAL DATE AND  
SET CHANGE OF PLEA HEARING; ORDER

DATE: November 6, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for trial on November 6, 2023, with a trial confirmation hearing set for September 28, 2023. ECF No. 57. The Court ordered that time be excluded under Local Code T4, up to and including the trial date. *Id.*

2. By this stipulation, the parties now move to vacate the trial date and to set this matter for a change of plea hearing on October 12, 2023, at 9:00 a.m., before this Court.

3. The parties have reached a resolution in this case, which has been memorialized in a written agreement, thereby removing the need for trial.

4. Because defense counsel intends to use the time between now and October 12, 2023, to prepare his client for the change of plea hearing and to otherwise continue his review and investigation of the discovery for the purposes of plea and sentencing, the exclusion of time under Local Code T4

remains appropriate.

5. The government does not object to maintaining the current exclusion of time under Local Code T4 up to and including October 12, 2023, based on defense counsel's representations.

6. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 12, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ JAMES R. CONOLLY  
JAMES R. CONOLLY  
Assistant United States Attorney

Dated: September 12, 2023

/s/ PHILIP COZENS  
PHILIP COZENS  
Counsel for Defendant  
PATRICIA EKIZIAN

### ORDER

The Court, having read the foregoing stipulation of the parties, and adopting the representations therein, orders as follows:

1. The matter is set for a change of plea hearing on October 12, 2023, at 9:00 a.m., before this Court.
2. The trial date of November 6, 2023, and the trial confirmation hearing date of September 28, 2023, are vacated.
3. The exclusion of time under Local Code T4, currently running through November 6, 2023, by prior order of this Court, will remain in place.

IT IS SO FOUND AND ORDERED this 15<sup>th</sup> day of September, 2023.

/s/ Daniel J. Calabretta  
THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE